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**SUBSTITUTE SENATE BILL 6354**

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**State of Washington**

**56th Legislature**

**2000 Regular Session**

**By** Senate Committee on Education (originally sponsored by Senators Kline, Franklin, Wojahn, Fairley, Kohl-Welles, Prentice and Costa)

Read first time 02/04/00.

1 AN ACT Relating to contracting for services performed by classified  
2 employees; and amending RCW 28A.400.285.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.400.285 and 1997 c 267 s 2 are each amended to  
5 read as follows:

6 (1) When a school district or educational service district enters  
7 into a contract for services that had been previously performed by  
8 classified school employees, the contract shall contain a specific  
9 clause requiring the contractor to provide for persons performing such  
10 services under the contract, health benefits that are similar to those  
11 provided for school employees who would otherwise perform the work, but  
12 in no case are such health benefits required to be greater than the  
13 benefits provided for basic health care services under chapter 70.47  
14 RCW. The contract shall also contain a specific clause requiring the  
15 contractor to provide to the office of the superintendent of public  
16 instruction the same employee information that a school district or  
17 educational service district is required to provide.

18 (2) Decisions to enter into contracts for services by a school  
19 district or educational service district may only be made: (a) After

1 the affected district has conducted a feasibility study determining the  
2 potential costs and benefits, including the impact on district  
3 employees who would otherwise perform the work, that would result from  
4 contracting for the services; (b) after the decision to contract for  
5 the services has been reviewed and approved by the superintendent of  
6 public instruction; and (c) subject to any applicable requirements for  
7 collective bargaining. The factors to be considered in the feasibility  
8 study shall be developed in consultation with representatives of the  
9 affected employees and may include both long-term and short-term  
10 effects of the proposal to contract for services.

11 (3) This section applies only if a contract is for services  
12 performed by classified school employees on or after July 25, 1993.

13 (4) This section does not apply to:

14 (a) Temporary, nonongoing, or nonrecurring service contracts; or

15 (b) Contracts for services previously performed by employees in  
16 director/supervisor, professional, and technical positions.

17 (5) For the purposes of subsection (4) of this section:

18 (a) "Director/supervisor position" means a position in which an  
19 employee directs staff members and manages a function, a program, or a  
20 support service.

21 (b) "Professional position" means a position for which an employee  
22 is required to have a high degree of knowledge and skills acquired  
23 through a baccalaureate degree or its equivalent.

24 (c) "Technical position" means a position for which an employee is  
25 required to have a combination of knowledge and skills that can be  
26 obtained through approximately two years of posthigh school education,  
27 such as from a community or technical college, or by on-the-job  
28 training.

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